

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

RESONANT SYSTEMS, INC.

Plaintiff,

v.

SAMSUNG ELECTRONICS CO. LTD., and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Civil Action No. 2:22-CV-00423-JRG

JURY TRIAL DEMANDED

JOINT MOTION TO FURTHER AMEND DOCKET CONTROL ORDER

Plaintiff Resonant Systems, Inc. (“Plaintiff”) and Defendants Samsung Electronics co. Ltd and Samsung Electronics America, Inc., respectfully files this Joint Motion to Further Amend the Docket Control Order and would show the Court as follows:

The parties, for good cause discussed herein, request extensions on certain upcoming dates. Although the parties have been working diligently to complete discovery, they require additional time to complete depositions in this case, including international depositions, third party discovery, as well as time to serve opening expert reports. Additionally, the parties believe an extension is warranted to all for additional time for the Court to serve its claim construction order so that the parties might have the benefits of the Court’s rulings when completing discovery and formulating expert reports. The proposed extensions include modest extensions on certain “*” dates for the briefing schedule on dispositive motions and motions to strike. However, the briefing will still be completed more than six weeks before the pretrial conference. The remaining “*” dates, including trial dates or dates for the pretrial conference, remain unchanged.

The parties represent that this Motion is not filed for the purposes of delay but rather so that justice may be served.

Accordingly, the parties respectfully requests that the Court grant this Unopposed Motion to Amend Docket Control Order and amend the Docket Control Order as follows:

Original Date	Amended Date	Event
January 26, 2026		*Jury Selection – 9:00 a.m. in Marshall, Texas
7 days before Jury Selection		*Defendant to disclose final invalidity theories, final prior art references/combinations, and final equitable defenses. ¹
10 days before Jury Selection		*Plaintiff to disclose final election of Asserted Claims. ²
December 18, 2025		* If a juror questionnaire is to be used, an editable (in Microsoft Word format) questionnaire shall be jointly submitted to the Deputy Clerk in Charge by this date. ³
December 17, 2025		*Pretrial Conference – 9:00 a.m. in Marshall, Texas before Judge Rodney Gilstrap
December 4, 2025		*Notify Court of Agreements Reached During Meet and Confer The parties are ordered to meet and confer on any outstanding objections or motions <i>in limine</i> . The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.

¹ The proposed DCO shall include this specific deadline. The deadline shall read, “7 days before Jury Selection,” and shall not include a specific date.

² Given the Court’s past experiences with litigants dropping claims and defenses during or on the eve of trial, the Court is of the opinion that these additional deadlines are necessary. The proposed DCO shall include this specific deadline. The deadline shall read, “10 days before Jury Selection,” and shall not include a specific date.

³ The Parties are referred to the Court’s Standing Order Regarding Use of Juror Questionnaires in Advance of *Voir Dire*.

Original Date	Amended Date	Event
December 4, 2025		*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions <i>in Limine</i> , Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations
December 4, 2024		*File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shawn McRoberts, at shawn_mcroberts@txed.uscourts.gov.
November 20, 2025	November 24, 2025	File Motions <i>in Limine</i> The parties shall limit their motions <i>in limine</i> to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.
November 20, 2025	November 24, 2025	Serve Objections to Rebuttal Pretrial Disclosures
November 13, 2025	November 17, 2025	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
October 30, 2025	November 4, 2025	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof
October 23, 2025	October 29, 2025	*Response to Dispositive Motions (including <i>Daubert</i> Motions). Responses to dispositive motions that were filed <u>prior</u> to the dispositive motion deadline, including <i>Daubert</i> Motions, shall be due in accordance with Local Rule CV-7(e), not to exceed the deadline as set forth in this Docket Control Order. ⁴ Motions for Summary Judgment shall comply with Local Rule CV-56.

⁴ The parties are directed to Local Rule CV-7(d), which provides in part that “[a] party’s failure to oppose a motion in the manner prescribed herein creates a presumption that the party does not controvert the facts set out by movant and has no evidence to offer in opposition to the motion.”

Original Date	Amended Date	Event
October 9, 2025	October 15, 2025	*File Motions to Strike Expert Testimony (including <i>Daubert</i> Motions) No motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.
October 9, 2025	October 15, 2025	*File Dispositive Motions No dispositive motion may be filed after this date without leave of the Court. Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <u>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</u>
October 2, 2025	October 10, 2025	Deadline to Complete Expert Discovery
September 25, 2025	September 30, 2025	Serve Disclosures for Rebuttal Expert Witnesses
August 28, 2025	September 9, 2025	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof
August 15, 2025	September 5, 2025	Deadline to Complete Fact Discovery and File Motions to Compel Discovery
June 26, 2025		Comply with P.R. 3-7 (Opinion of Counsel Defenses)

Dated: July 24, 2025

/s/ Jeffrey A. Miller
Jin-Suk Park
jin.park@arnoldporter.com
ARNOLD & PORTER KAYE
SCHOLER LLP

Respectfully submitted,

/s/ Paul A. Kroeger
Reza Mirzaie
California Bar No. 246953
rmirzaie@raklaw.com
Kristopher Davis

If the deadline under Local Rule CV 7(e) exceeds the deadline for Response to Dispositive Motions, the deadline for Response to Dispositive Motions controls.

601 Massachusetts Ave., NW
Washington, D.C. 20001-3743
Telephone: (202) 942-5000

Melissa R. Smith
Texas Bar No. 24001351
melissa@gillamsmithlaw.com
GILLAM & SMITH LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450

Andrew T. ("Tom") Gorham
Texas Bar No. 24012715
tom@gillamsmithlaw.com
GILLAM & SMITH LLP
102 North College Avenue, Suite 800
Tyler, Texas 75702
Telephone: (903) 934-8450

Kevin Cosgrove
kevin.cosgrove@arnoldporter.com
**ARNOLD & PORTER KAYE
SCHOLER LLP**
Three Embarcadero Center, 10th Floor
San Francisco, California 94111-4024
Telephone: (415) 471-3100

Jeffrey A. Miller
Jeffrey.miller@arnoldporter.com
**ARNOLD & PORTER KAYE
SCHOLER LLP**
3000 El Camino Real, Bldg 5
Suite 500
Palo Alto, CA 94306
Tel: 650-319-4500

Daniel S. Shimell
Daniel.shimell@arnoldporter.com
**ARNOLD & PORTER KAY
SCHOLER LLP**
777 South Figueroa Street, 44th Floor
Los Angeles, California 90017-5844
Telephone: (213) 243-4000

Attorneys for Defendants

California Bar No. 329627
kdavis@raklaw.com
Christian W. Conkle
California Bar No. 306374
cconkle@raklaw.com
Jason Wietholter
California Bar No. 337139
jwietholter@raklaw.com
Paul A. Kroeger
California Bar No. 229074
kroeger@raklaw.com
Qi Tong
California Bar No. 330347
ptong@raklaw.com
RUSS AUGUST & KABAT
12424 Wilshire Blvd. 12th Floor
Los Angeles, CA 90025
Phone: (310) 826-7474

Attorneys for Plaintiff
Resonant Systems, Inc. d/b/a RevelHMI

***Samsung Electronics Co., Ltd. and
Samsung Electronics America, Inc.***

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for Plaintiff met and conferred with counsel for Defendants in accordance with Local Rule CV-7(h). The parties are jointly seeing the relief sought in the motion.

/s/ Reza Mirzaie

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on July 24, 2025, all counsel of record who are deemed to have consented to electronic service are being served with a true and correct copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Reza Mirzaie
